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12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 IN RE CATHODE RAY TUBE
15 (CRT) ANTITRUST
16 LITIGATION

17 This Document Relates To All
18 Indirect Purchaser Actions

No. CV-07-5944-SC
MDL No. 1917

**INDIRECT PURCHASER
PLAINTIFFS, LG DEFENDANTS,
ILLINOIS OREGON AND
WASHINGTON's MOTION TO
AMEND IPPS' MOTION FOR
PRELIMINARY APPROVAL OF
SETTLEMENT**

Hearing Date: October 25, 2013
Time: 10:00 am
Courtroom: One, 17th Floor
Judge: Honorable Samuel Conti

1 The Indirect Purchaser Plaintiffs (“IPPs”), LG Electronics, Inc.; LG Electronics
 2 USA, Inc.; and LG Electronics Taiwan Taipei Co., Ltd. (“the LG Defendants”) and the
 3 States of Illinois, Oregon and Washington (“the States”) move to amend Indirect
 4 Purchaser Plaintiffs’ Notice Of Motion And Motion For Preliminary Approval Of Class
 5 Action Settlement With Defendants LG Electronics Inc., LG Electronics USA, Inc., and
 6 LG Electronics Taiwan Taipei Co., Ltd.; Memorandum Of Points And Authorities In
 7 Support Thereof; and related filings.
 8

- 9 1. The States believed that the settlement agreement and proposed order could
 10 be misinterpreted to release the claims of the citizens of their states in cases
 11 that are currently in litigation in their state courts. Such an interpretation
 12 would be inconsistent with the Special Master’s ruling of July 25, 2011 and
 13 the Approval Order regarding the Chunghwa settlement.
 14
- 15 2. The IPPs and the LG Defendants agree that it would be a misinterpretation of
 16 the agreement and proposed order to read either to release the claims of the
 17 citizens of the States. After discussion, the IPPs, the LG Defendants and the
 18 States agree that the definition of “The Class” in the Settlement Agreement
 19 and the definition of “Nationwide Class” in the Proposed Preliminary
 20 Approval Order should be modified. Those modifications are reflected in the
 21 attached amended documents.
 22
- 23 3. The definition of Class in the proposed notices will be modified to reflect
 24 these changes.
- 25 4. The definition of Class in any order of final approval should also contain the
 26 language: “Specifically excluded from this Class are claims on behalf of

Illinois persons (as defined by 740 ILCS 10/4) for purposes of claims under
 740 Ill. Comp. Stat § 10/7(2), Oregon natural persons (as defined by ORS
 646.705(2)) for purposes of claims under ORS § 646.775(1), and Washington
 persons (as defined by RCW 19.86.010) for purposes of claims under RCW
 19.86.080.”

DATED: October 7, 2013

Respectfully submitted,

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